UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,486	02/21/2001	Shinichi Sazawa	1086.1140	6215

21171	7590	04/07/2005

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EXAMINER
DURAN, ARTHUR D

ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/788,486	SAZAWA ET AL.
	Examiner	Art Unit
	Arthur Duran	3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>14 February 2005</u>.

2a)☒ This action is **FINAL**.　　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-22</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-22</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-22 have been examined.

Response to Amendment

2.   The Amendment filed on 2/14/05 is sufficient to overcome the Aho and Gerace alone

reference. A new reference has been added to the 35 USC 103 rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aho

(6,256,043) in view of Gerace (5,848,396) in view of Shtivelman (6,346,952).

Claim 1, 3-11, 13-22: Aho discloses a method, medium for managing an imaginary store

on a network, comprising:

a first step of displaying the imaginary store in response to client's request,

a second step of setting a chat channel between a salesperson and the client in response to

selection of a product object by the client in said imaginary store, and displaying character data

in a chat that they have (col 2, lines 17-30; col 2, lines 41-55; col 8, line 62-col 9, line 5),

and adapting the environment and images to best fit a particular user (col 2, lines 17-27).

Aho does not explicitly disclose selecting an attribute object of a corresponding product on the basis of a key word in said chat.

However, Gerace further discloses monitoring user communication, activity, and messages and presenting different attribute objects based upon user communications (col 16, lines 37-55; col 2, lines 43-55; col 10, lines 40-52). Note that the color of advertisements or the topic of advertisements constitutes different attributes for the object.

Gerace further discloses the user making purchases of items (col 2, lines 37-43; col 22, lines 53-65) and adapting content, presentation, display, format, subject matter attributes of items (col 17, lines 1-17).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Gerace's selecting an attribute object of a corresponding product on the basis of a key word in said chat to Aho's customizing the attributes of the presentation based on user qualities. One would have been motivated to do this in order to provide items of interest to a user in a format of interest to a user.

Gerace further discloses displaying plural attributes that can be selected from said product attribute object and reflecting an attribute selected from said plural attributes on product object presentation (col 16, lines 37-67). Note that displaying ticket information on plane flights to Detroit, or to New York, or to Boston based upon the user communication is varying the product (tickets) attribute (destination).

Gerace further discloses recording a log of the chat between said client and the salesperson and then analyzing the recorded chat log to perform marketing (col 2, lines 5-30; col lines 35-42).

Gerace further discloses extracting a key word from the recorded chat log and

dispatching an advertisement corresponding to the extracted key word to a client (col 16, lines

37-67; col 17, lines 37-52).

Gerace further discloses the key word is searched from the content of the client's chat and

an advertisement list wherein product data corresponding to the key word and client data are

combined is prepared (col 16, lines 37-67).

Gerace further discloses supplying a chat channel between clients, recording a log of

chats, and then analyzing the recorded chat log to perform marketing (col 10, lines 23-50).

Aho further discloses users chatting (col 2, lines 30-35) and utilizing a chat channel to

have a chat with another client (col 12, lines 49-58).

Gerace further discloses collecting further data from a user (col 11, lines 24-56) and

collecting data from a user upon selling a product (col 2, lines 37-42).

Gerace further discloses specials provided to the user and targeting areas of interest to the

user (col 9, lines 7-14).

a reward or a privilege is supplied to the client supplying the cut-out data (col 9, lines 7-

14).

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to add Gerace's providing specials or rewards to Aho's user performing

virtual shopping customized to the user. One would have been motivated to do this in order to

better attain user information for better customizing towards a user.

Gerace further discloses displaying plural colors, plural shapes and plural display

positions as the plural attributes that can be selected from said product attribute object and

reflecting a specific attribute selected from said plural attributes on an image of said product

object (col 6, lines 30-40; col 2, lines 16-22).

Additionally, Aho discloses shopping and that the store the user enters can be customized

based on the user who enters:

"(9) As another example, the user could enter a store which popped out of the video, and

engage in virtual shopping therein. In accordance with an aspect of the invention, the particular

store which is actually entered may be customized on a per user basis. Thus, for different users

who are traversing the same course and seeing the same representations, e.g., an avatar, of a

store or vendor cart that popped out from the video, who the particular vendor is that will serve

the user and provide him with the virtual shopping service may be different for different users"

(col 2, lines 16-25).

Aho discloses the user utilizing a chat service for shopping purposes, targeting content to

the user, and targeting a communication to a user:

"(10) In accordance with another aspect of the invention, when the proprietor of a

virtual store, or his representative, e.g., electronic agent, detects the avatar of one or more

persons in the vicinity of, e.g., passing, the avatar of a store for which such proprietor's store

corresponds to the virtual store for such passing persons, a message, such as an advertisement,

or other communication, such as opening a communication channel, e.g., a chat service or

voice communication channel, may be transmitted to, or initiated with, such passing persons.

The communication may be general in nature or it may be customized as a function of

information available regarding the passing persons. Advantageously, a feeling of community

may be engendered in the virtual environment" (col 2, lines 41-55).

Shtivelman discloses selecting an attribute of a corresponding product on the basis of a

key word extracted real time from information of a chat currently underway (Fig. 8 and below):

"(47) Threaded dialog may assume other characteristics aside from being reserved for a

particular customer. Instead of being assigned to a particular customer, a thread may be

assigned a product line or specific product. Therefore any communication center interaction

concerning that product line or product would be contained in the thread. There are no limits to

categorization or association rules. A variety of known technologies such as voice to text

recording, optical character recognition (OCR), object linking and embedding (OLE), or even

human-assisted translation may be used to convert interactions into threaded text accounts (col

12, lines 5-15);

(74) At step 133 a parsing engine such as parser 115 of FIG. 5 parses a message for

content. As previously described, keywords such as nouns, verbs, product names, platform

types, etc are parsed from the message. Sentence structure and punctuation may also be

considered. Also in step 133, a KB such as KB 117 is consulted for matching semantics. KB

117 may store standardized query/response pairs that have been standardized from actual

query/response pairs studied from chat history. KB 117 may only contain matching queries and

associated response codes that are linked to responses contained in a history database, or

standardized responses held separately. There are many possibilities (col 16, lines 21-34);

(103) Intelligent parsing of all incoming queries may be set up by rule such that

keywords about customers may be obtained from a customer database based on customer

identification in a <u>chat</u> session. Moreover, keywords related to additional products that are

discussed may be checked against a product database containing product descriptions.

Additional product keywords appearing in column 177 would result from keywords extracted

from query dialog and matched against a product database.

(104) Like keywords contained in column 175, those additional keywords appearing in

column 177 may expire after a preset number of query/response pairs have been posted with the

exception of the title keyword X 10 scanner. Alternatively, such keywords may remain in view

throughout the duration of a session. For example, the keyword X5 scanner appears as a result

of Mary's query asking if there is a miniature model that she can buy. Another product keyword

keyboard appears as a result of parsing Jim's query containing the word keyboard. The second

product keyword is not related to the title X10 scanner, however it appears because the

company hosting the session may also have a line of compatible keyboard products. In this

case, retaining <u>product keywords</u> developed over a duration of a <u>chat</u> session may help

administrators to better title a particular <u>chat</u> session for future applications.

(105) In a preferred embodiment of the present invention, generation of a

<u>keyword</u> summary along with client <u>keywords and product keywords</u> particular to a

<u>chat</u> session is accomplished in integration with methods taught in the co-related patent

applications. However, in an alternate embodiment, the generation of such keywords may be

accomplished for a particular chat session by providing a parsing function either in a server

hosting the session, or in an agent's desktop chat application. For example, if there are more

than one chat session ongoing in a chat server, then parsing function at the server may

be constructed to automatically monitor dialog (query and response) for each separate session

and extract keywords from the monitored dialog according to rule such that the keywords

appear in window 163. The same would apply at the agent's desktop. The only difference

would be that keywords would only be saved during the time that they are allowed to reside in

columns 175-177" (col 20, line 65-col 21, line 41).

Shtivelman further discloses that the chat features can be utilized in any chat type

environment:

"(7)   One IPNT medium is the well-known chat session. A chat session is facilitated by

software at each client station and at a communications server hosted somewhere in an Internet-

Protocol (IP) data network (typically the Internet). A chat session is typically hosted by a

facilitator or session leader, which controls the rules and regulations governing each session.

Typically a session master has controls provided to him that enable him to mute other

participants, eject certain individuals from a session, direct the topics, and so on (col 1, lines 55-

65);

(107)   It will also be apparent to one with skill in the art that the method

and apparatus of the present invention may be practiced in virtually any standard chat

environment without benefit of central routing control or automated response systems without

departing from the spirit and scope of the present invention. All that is required to provide a

revolving summary of dialog keywords is a session monitor and a keyword parser, which may

be provided either at a server location or in a desktop chat application;

(108)   The method and apparatus of the present invention may be practiced in

any IP communication-center environment or in any IP chat environment without departing from the spirit and scope of the present invention. Therefore the present invention should be afforded the broadest scope. The methods and apparatus of the present invention are limited only by the claims that follow" (col 21, line 50-col 22, line 10).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Shtivelman's providing relevant information or based on real time chat analysis and keywords to Aho's providing custom shopping experiences or advertising based on possible user preferences, interests, or characteristics. One would have been motivated to do this in order to provide content that is relevant to the user's recent or current interests.

Claim 2, 12: Aho and Gerace and Shtivelman disclose the method according to claim 1. Aho further discloses said second step, when the client selects the salesperson in the imaginary store, the chat channel between the selected salesperson and the client is set, and when the client selects the product, the chat channel between a salesperson in charge and the client is set (col 2, lines 42-55; col 8, line 62-col 9, line 5).

Response to Arguments

4.   Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection. Please particularly note the rejection above starting at the section that begins "Additionally, Aho discloses. . .".

Examiner notes that while specific references were made to the prior art, it is actually also the prior art in its entirety and the combination of the prior art in its entirety that is being referred to.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur Duran whose telephone number is (571) 272-6718. The examiner can normally be reached on Mon- Fri, 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Arthur Duran
Patent Examiner
3/31/05

JEFFREY D. CARLSON
PRIMARY EXAMINER